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# **FORWARD PLAN**

**Compiled on behalf of the Elected Mayor of Torbay**

**Forward Plan published on 1 June 2018**

**1 July 2018 to 30 September 2018**

**For information relating to the Forward Plan or to request a copy in another  
format or language please contact:**

**Teresa Buckley (01803) 207013**

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# Torbay Council

## Forward Plan of Key Decisions

### Explanatory Note

Torbay Council is required to publish a Forward Plan of all key decisions to be taken in the following four months. The first Plan became effective on 1 March 2002. It is updated monthly.

Although Government regulations suggest that Key Decisions should only refer to Executive functions, Torbay Council has decided that those Council functions that would have been a Key Decision if they were to have been decided by the Elected Mayor will also be included in the Forward Plan. This will include changes to the Council's Policy Framework and decisions that are not in accordance with the Council's Budgetary Framework.

The Regulations define a key decision as a decision that is likely to:

- (i) result in incurring expenditure or making of savings which are significant; or
- (ii) be significant in terms of its effects on communities living or working in the area.

The Council has produced comprehensive criteria to define "significant" and these are set out on the following page.

The Forward Plan consists of a brief description of the decisions that are to be made, consultation information, key risks and key opportunities.

Copies of the documents referred to in the Forward Plan may be obtained by contacting the Governance Support Team by telephone (01803 207087), email ([governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk)) or post (Town Hall, Castle Circus, Torquay, TQ1 3DR).

The Forward Plan is available free of charge on request from the Governance Support Team of Torbay Council and is available for inspection at the Connections offices in Torquay, Paignton and Brixham. It is also available on the Council's website (<http://www.torbay.gov.uk/forward-plan>).

Gordon Oliver  
Elected Mayor of Torbay

**To request a copy in another format or language phone 01803 207087**

## Definitions of "significant"

### Expenditure and savings

A proposed decision shall be regarded as a Key Decision by way of “**incurring expenditure or making of savings which are significant**” if any one or more of the following apply:

- (1) In the opinion of the Chief Finance Officer, there is likely to be a budget variation (other than one within a Business Unit) of more than £250,000;
- (2) In the opinion of the Chief Finance Officer, it is likely to result in capital expenditure above that provided for in the capital programme and it is likely to involve an additional call on the Council’s internal resources of more than £250,000;
- (3) In the opinion of the relevant Director, the decision is likely to have a material effect on Council services, including where:
  - (i) an existing service will be reduced by more than 10 per cent or will cease altogether;
  - (ii) a service which is currently provided in house will be outsourced (or vice versa); or
  - (iii) a partnership will be entered with a third party which is likely to involve a material element of risk transfer to the Council;
- (4) The proposal involves the acquisition or disposal of land having a value estimated by the Chief Finance Officer to be likely to exceed £250,000;
- (5) The proposal involves the disposal of a capital asset (other than land) having a value estimated by the Chief Finance Officer to be likely to exceed £250,000;
- (6) Where in the opinion of the Assistant Director Corporate and Business Services the proposal is likely to result in compulsory redundancies or major changes to the terms and conditions of employment of 100 or more employees across the Council’s functions;

### Effect of communities

A proposed decision shall be regarded as a Key Decision by way of being “**significant in terms of its effects on communities living or working in the area**” if the relevant Director or Assistant Director, in consultation with the relevant Executive Member, considers that it ought to be included in the Forward Plan having regard to all the circumstances including the following principles:

- (1) A decision may affect a great number of people, or a number of wards, but not significantly and these decisions shall **not** normally be regarded as key;
- (2) A decision that has a significant impact on communities living or working in only one ward will normally be treated as a Key Decision e.g. a school closure or the introduction or amendment of traffic calming measures;
- (3) Where a decision is only likely to have a significant impact on a very small number of people in one ward it will **not** normally be key. But the people affected should be informed of the forthcoming decision in sufficient time for them to exercise their rights to see the relevant papers and make an input into the decision making process;

- (4) Consideration should be given to the level of public interest in the decision. The higher the level of interest the more appropriate it is that the decision should be considered to be key.

Torbay Council's ambition is for Torbay to be prosperous and healthy. This will be achieved through the following targeted actions:

- Protecting all children and giving them the best start in life;
- Working towards a more prosperous Torbay;
- Promoting healthy lifestyles across Torbay;
- Ensuring Torbay remains an attractive and safe place to live and visit; and
- Protecting and supporting vulnerable adults.

## Forward Plan Contents:

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**Adult Social Care - Local Account and Annual Adult Safeguarding Report**

Local Account provides information on Adult Social Care in Torbay and is a key way through which residents can hold the Council to account on how well we are supporting people with social care needs. It is a government requirement. It provides an overview of the previous year and outlines future policy direction in relation to social care and the safeguarding report outlining action taken in relation to adults safeguarding in the previous financial year.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Members and local communities.
<b>Means of Consultation:</b>	Meetings and circulation of papers.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Adults and Children (Councillor Julien Parrott)  Director of Adult Services and Housing (Caroline Taylor)
<b>Link to targeted actions:</b>	Protecting and supporting vulnerable adults
<b>Reason for inclusion in the Forward Plan:</b>	High level of public interest
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	19 Jul 2018
<b>If you want to make representations contact:</b>	Caroline Taylor Director of Adult Social Care, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 208949, email caroline.taylor@torbay.gov.uk

**Children and Young People's Plan**

The Children and Young People's Plan will be fundamentally revised to acknowledge the changes in Children's Services following the last Ofsted inspection and the move towards new partnership arrangements. The Plan will also set out the Council's approach to its Corporate Parenting responsibilities. Further, recommendations will be made for corresponding amendments to other Policy Framework documents as appropriate.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Stakeholders and Overview and Scrutiny Board
<b>Means of Consultation:</b>	The draft Children and Young People's Plan will be available online for comment and will be considered by members of the Overview and Scrutiny Board.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Adults and Children (Councillor Julien Parrott)  Director of Children's Services (Andy Dempsey)
<b>Link to targeted actions:</b>	Protecting all children and giving them the best start in life
<b>Reason for inclusion in the Forward Plan:</b>	Policy Framework
<b>Decision Maker:</b>	Deputy Mayor  Elected Mayor  Council
<b>Intended Decision Date:</b>	14 Dec 2017  4 Jun 2018  21 Jun 2018



**If you want to make representations contact:**

Andy Dempsey, Director of Children's Services, Torbay Council, 1st Floor (South) Tor Hill House, c/o Town Hall, Torquay, TQ1 3DR, telephone (01803) 208401, email [andy.dempsey@torbay.gov.uk](mailto:andy.dempsey@torbay.gov.uk)

**Future of Oldway Mansion, Paignton**

To receive an update on the work of the Oldway Mansion and Estate Working Party, to review options for the Mansion and Estate and to agree a way forward.

<b>Wards affected:</b>	Preston
<b>Consultees:</b>	Oldway Mansion Working Party, Councillors, Community Partnership.
<b>Means of Consultation:</b>	Meetings and circulation of papers
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (The Elected Mayor, Gordon Oliver)  Executive Head Assets and Business Services (Kevin Mowat)
<b>Link to targeted actions:</b>	Ensuring Torbay remains an attractive and safe place to live and visit
<b>Reason for inclusion in the Forward Plan:</b>	High level of public interest
<b>Decision Maker:</b>	Elected Mayor  Council
<b>Intended Decision Date:</b>	4 Jun 2018  21 Jun 2018
<b>If you want to make representations contact:</b>	Kevin Mowat, Executive Head Assets and Business Services, telephone: (01803) 292429, email: kevin.mowat@torbay.gov.uk, Town Hall, Castle Circus, Torquay, TQ1 3DR

**Joint Health and Wellbeing Strategy**

To review the Joint Health and Wellbeing Strategy which sets out how Torbay Council and its partners will work together to improve the health and wellbeing of the residents of Torbay.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Health and Wellbeing Board, Clinical Commissioning Group (CCG) Governing Body, Torbay Children's Safeguarding Board and Torbay Adult's Safeguarding Board, Voluntary and Community Sector, Safer Communities Torbay and Overview and Scrutiny Board.
<b>Means of Consultation:</b>	Meetings and circulation of papers
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Health and Wellbeing (Councillor Jackie Stockman)  Director of Public Health (Caroline Dimond)
<b>Link to targeted actions:</b>	Promoting healthy lifestyles across Torbay
<b>Reason for inclusion in the Forward Plan:</b>	Policy Framework
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	20 Sep 2018
<b>If you want to make representations contact:</b>	Caroline Dimond, Director of Public Health, Town Hall, Castle Circus, Torquay, email caroline.dimond@torbay.gov.uk and telephone (01803) 207344

### Joint Supplementary Planning Document (SPD) South Hams Special Area of Conservation (SAC)

To adopt a new joint 'Supplementary Planning Document (SPD) South Hams Special Area of Conservation (SAC)' as part of the Council's Policy Framework. The South Hams SAC is a European designation established under the Conservation of Habitats and Species Regulations 2010 (Habitats Regulation) and is unusual in that it is comprised of several separate but linked component Sites of Special Scientific Interest with significant Greater Horseshoe Bat maternity roost importance located over five local planning authority areas.

The joint SPD will apply to all five local planning authority areas which cover the South Hams SAC and the habitat surrounding it and is designed to assist people who are submitting and determining planning applications with the objective to facilitate the appropriate siting/planning/design of development so as to avoid/mitigate significant impact on the favourable conservation status of the SAC.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Statutory, non-statutory and planning database.
<b>Means of Consultation:</b>	Joint consultation led by Teignbridge Council minimum 6 weeks
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Deputy Mayor and Executive Lead for Planning (Councillor Derek Mills) Executive Head Assets and Business Services (Kevin Mowat)
<b>Link to targeted actions:</b>	Ensuring Torbay remains an attractive and safe place to live and visit
<b>Reason for inclusion in the Forward Plan:</b>	Policy Framework
<b>Decision Maker:</b>	Elected Mayor Elected Mayor Council

<b>Intended Decision Date:</b>	29 Mar 2018 2 Jul 2018 19 Jul 2018
<b>If you want to make representations contact:</b>	Adam Luscombe, Senior Strategy and Project Delivery Officer, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 207693, email adam.luscombe@torbay.gov.uk

**Licensing of Houses in Multiple Occupation (HMOs)**

To consider a business case on selective and/or additional licensing of HMOs.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	The Mayor and Councillors
<b>Means of Consultation:</b>	Meetings and circulation of papers.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Deputy Mayor and Executive Lead for Planning (Councillor Derek Mills)  Executive Head Assets and Business Services (Kevin Mowat)
<b>Link to targeted actions:</b>	Ensuring Torbay remains an attractive and safe place to live and visit
<b>Reason for inclusion in the Forward Plan:</b>	High level of public interest
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	20 Sep 2018
<b>If you want to make representations contact:</b>	Kevin Mowat, Executive Head Assets and Business Services, telephone: (01803) 292429, email: kevin.mowat@torbay.gov.uk, Town Hall, Castle Circus, Torquay, TQ1 3DR

**Neighbourhood Plans**

Following the outcome of the Independent Examination of the Neighbourhood Plans for Brixham, Paignton and Torquay the Council is required to consider what action to take in response to the recommendations of the Examiner in respect of each of the Neighbourhood Plans.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Statutory consultees in respect of Neighbourhood Plans, members of the public and other interested parties.
<b>Means of Consultation:</b>	Meetings, circulation of consultation papers.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Deputy Mayor and Executive Lead for Planning (Councillor Derek Mills)  Executive Head Assets and Business Services (Kevin Mowat)
<b>Link to targeted actions:</b>	Working towards a more prosperous Torbay
<b>Reason for inclusion in the Forward Plan:</b>	High level of public interest
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	21 Jun 2018
<b>If you want to make representations contact:</b>	Kevin Mowat, Executive Head Assets and Business Services, telephone: (01803) 292429, email: kevin.mowat@torbay.gov.uk, Town Hall, Castle Circus, Torquay, TQ1 3DR

**Review of Leases to Torbay Coast & Countryside Trust**

Given the financial challenges that face the Torbay Coast & Countryside Trust, as well as the Council, it is appropriate for certain amendments to be agreed to the areas of land leased to the Trust, together with a renegotiation of the existing financial arrangements between both parties.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Torbay Coast & Countryside Trust, Mayor, Mayors Executive Group, Group Leaders, Overview & Scrutiny Board and Senior Leadership Team
<b>Means of Consultation:</b>	Meetings and circulation of papers.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (The Elected Mayor, Gordon Oliver)  Director of Corporate Services and Operations (Anne-Marie Bond)
<b>Link to targeted actions:</b>	Working towards a more prosperous Torbay
<b>Reason for inclusion in the Forward Plan:</b>	Revenue Budget variation +£250,000
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	19 Jul 2018
<b>If you want to make representations contact:</b>	Kevin Mowat, Executive Head Assets and Business Services, telephone: (01803) 292429, email: kevin.mowat@torbay.gov.uk, Town Hall, Castle Circus, Torquay, TQ1 3DR



**Review of Parking Charges**

To undertake a review of parking charges in Torbay to come into force from November 2018, including consideration of a year-round tariff system.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Local Chambers of Trade and Commerce, Overview and Scrutiny Board, Business Forum, Brixham Town Council and English Riviera Business Improvement District, community partnerships.
<b>Means of Consultation:</b>	Meetings and circulation of papers.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Community Services (Councillor Robert Excell)  Executive Head Assets and Business Services (Kevin Mowat)
<b>Link to targeted actions:</b>	Corporate support
<b>Reason for inclusion in the Forward Plan:</b>	High level of public interest
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	19 Jul 2018
<b>If you want to make representations contact:</b>	Kevin Mowat, Executive Head Assets and Business Services, telephone: (01803) 292429, email: kevin.mowat@torbay.gov.uk, Town Hall, Castle Circus, Torquay, TQ1 3DR

**Review of Statement of Gambling Principles**

The Licensing Authority is required every 3 years to review and re-publish the Statement of Gambling Principles Policy. Whilst most Licensing matters are delegated by statute to the Licensing Committee, the Gambling Policy is a Policy Framework document and must be agreed by full Council.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	The Gambling Act 2005 provides that the following must be consulted: The Chief Officer of Police, Persons representing the interests of gambling businesses, existing licence or permit holders, all responsible authorities as named in the Act, resident and trade associations and any other bodies representing persons likely to be affected by the exercise of the Authority's functions, faith groups, voluntary and community organisations, organisations working with young people and children, organisations working to support problem gamblers, medical associations and primary care trusts and any other body that may have an interest in gambling activity.
<b>Means of Consultation:</b>	The draft Gambling Policy will be agreed in principle by Licensing Committee, following which there will be a 12 week full public/trade consultation. Responses to the consultation are reviewed by Licensing Committee, following which recommendation is made to full Council for adoption.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Environment (Councillor Vic Ellery)  Executive Head Community Safety (Tara Harris)
<b>Link to targeted actions:</b>	Ensuring Torbay remains an attractive and safe place to live and visit
<b>Reason for inclusion in the Forward Plan:</b>	Policy Framework
<b>Decision Maker:</b>	Council

<b>Intended Decision Date:</b>	5 Dec 2018
<b>If you want to make representations contact:</b>	Gary O'Shea Principle Officer Licensing and Public Participation, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 208025, email <a href="mailto:gary.oshea@torbay.gov.uk">gary.oshea@torbay.gov.uk</a>

### **Strategic Agreement between Torbay and South Devon NHS Foundation Trust and Torbay Council/South Devon and Torbay Clinical Commissioning Group**

This is the Strategic Agreement with Torbay and South Devon NHS Foundation Trust which provides health and care on behalf of two commissioners - Torbay Council and South Devon and Torbay Clinical Commissioning Group. The Agreement outlines the outcomes which will be delivered within the financial envelope agreed and, specifically for the Council, gives transparency to the delivery of Adult Social Services on behalf of the Council.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Overview and Scrutiny Board
<b>Means of Consultation:</b>	Meetings and circulation of papers.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Adults and Children (Councillor Julien Parrott)  Director of Adult Services and Housing (Caroline Taylor)
<b>Link to targeted actions:</b>	Protecting and supporting vulnerable adults
<b>Reason for inclusion in the Forward Plan:</b>	Policy Framework
<b>Decision Maker:</b>	Council  Council
<b>Intended Decision Date:</b>	22 Feb 2018  19 Jul 2018
<b>If you want to make representations contact:</b>	Caroline Taylor, Director of Adult Services, Torbay Council, 1st Floor South, Tor Hill House, c/o Town Hall, Torquay, TQ1 3DR, telephone (01803) 208949, email caroline.taylor@torbay.gov.uk

**Transformation Project - Future of TOR2 Services (Strategic Delivery Model)**

A review of options and costs has been undertaken and the outcome of this work will be presented to the Council to agree a way forward.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Members, Senior Leadership Team, TOR2
<b>Means of Consultation:</b>	Meetings and circulation of papers
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Deputy Mayor and Executive Lead for Planning (Councillor Derek Mills), Executive Lead for Community Services (Councillor Robert Excell)  Executive Head Assets and Business Services (Kevin Mowat)
<b>Link to targeted actions:</b>	Ensuring Torbay remains an attractive and safe place to live and visit
<b>Reason for inclusion in the Forward Plan:</b>	High level of public interest
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	21 Jun 2018
<b>If you want to make representations contact:</b>	Kevin Mowat, Executive Head of Assets and Business Services, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 208428, email Kevin.mowat@torbay.gov.uk

